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**SENATE BILL 5193**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators Kuderer and Valdez; by request of Attorney General and Office of the Governor

Prefiled 01/06/23.

1 AN ACT Relating to establishing firearms-related safety measures  
2 to increase public safety by prohibiting the manufacture,  
3 importation, distribution, selling, and offering for sale of assault  
4 weapons, and by providing limited exemptions applicable to licensed  
5 firearm manufacturers and dealers for purposes of sale to armed  
6 forces branches and law enforcement agencies for purposes of sale or  
7 transfer outside the state; reenacting and amending RCW 9.41.010;  
8 adding new sections to chapter 9.41 RCW; creating a new section;  
9 prescribing penalties; and declaring an emergency.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

11 NEW SECTION. **Sec. 1.** The legislature finds and declares that  
12 gun violence is a threat to the public health and safety of  
13 Washingtonians. Assault weapons are civilian versions of weapons  
14 created for the military and are designed to kill humans quickly and  
15 efficiently. For this reason the legislature finds that assault  
16 weapons are "like" "M-16 rifles" and thus are "weapons most useful in  
17 military service." Assault weapons have been used in the deadliest  
18 mass shootings in the last decade. An assailant with an assault  
19 weapon can hurt and kill twice the number of people than an assailant  
20 with a handgun or nonassault rifle. This is because the additional  
21 features of an assault weapon are not "merely cosmetic"; rather,

1 these are features that allow shooters to fire large numbers of  
2 rounds quickly. An analysis of mass shootings that result in four or  
3 more deaths found that 85 percent of those fatalities were caused by  
4 an assault weapon. The legislature also finds that this regulation is  
5 likely to have an impact on the number of mass shootings committed in  
6 Washington. Studies have shown that during the period the federal  
7 assault weapon ban was in effect, mass shooting fatalities were 70  
8 percent less likely to occur. Moreover, the legislature finds that  
9 assault weapons are not suitable for self-defense and that studies  
10 show that assault weapons are statistically not used in self-defense.  
11 The legislature finds that assault weapons are not commonly used in  
12 self-defense and that any proliferation is not the result of the  
13 assault weapon being well-suited for self-defense, hunting, or  
14 sporting purposes. Rather, increased sales are the result of the gun  
15 industry's concerted efforts to sell more guns to a civilian market.  
16 The legislature finds that the gun industry has specifically marketed  
17 these weapons as "tactical," "hyper masculine," and "military style"  
18 in manner that overtly appeals to troubled young men intent on  
19 becoming the next mass shooter. The legislature intends to limit the  
20 prospective sale of assault weapons, while allowing existing legal  
21 owners to retain the assault weapons they currently own.

22 **Sec. 2.** RCW 9.41.010 and 2022 c 105 s 2 and 2022 c 104 s 2 are  
23 each reenacted and amended to read as follows:

24 Unless the context clearly requires otherwise, the definitions in  
25 this section apply throughout this chapter.

26 (1) "Antique firearm" means a firearm or replica of a firearm not  
27 designed or redesigned for using rim fire or conventional center fire  
28 ignition with fixed ammunition and manufactured in or before 1898,  
29 including any matchlock, flintlock, percussion cap, or similar type  
30 of ignition system and also any firearm using fixed ammunition  
31 manufactured in or before 1898, for which ammunition is no longer  
32 manufactured in the United States and is not readily available in the  
33 ordinary channels of commercial trade.

34 (2) (a) "Assault weapon" means:

35 (i) Any of the following specific firearms regardless of which  
36 company produced and manufactured the firearm:

37 AK-47 in all forms

38 AK-74 in all forms

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<u>Algimec AGM-1 type semiautomatic</u>
<u>American Arms Spectre da semiautomatic carbine</u>
<u>AR15, M16, or M4 in all forms</u>
<u>AR 180 type semiautomatic</u>
<u>Argentine L.S.R. semiautomatic</u>
<u>Australian Automatic</u>
<u>Auto-Ordnance Thompson M1 and 1927 semiautomatics</u>
<u>Barrett .50 cal light semiautomatic</u>
<u>Barrett .50 cal M87</u>
<u>Barrett .50 cal M107A1</u>
<u>Barrett REC7</u>
<u>Beretta AR70/S70 type semiautomatic</u>
<u>Bushmaster Carbon 15</u>
<u>Bushmaster ACR</u>
<u>Bushmaster XM-15</u>
<u>Bushmaster MOE</u>
<u>Calico models M100 and M900</u>
<u>CETME Sporter</u>
<u>CIS SR 88 type semiautomatic</u>
<u>Colt CAR 15</u>
<u>Daewoo K-1</u>
<u>Daewoo K-2</u>
<u>Dragunov semiautomatic</u>
<u>Fabrique Nationale FAL in all forms</u>
<u>Fabrique Nationale F2000</u>
<u>Fabrique Nationale L1A1 Sporter</u>
<u>Fabrique Nationale M249S</u>
<u>Fabrique Nationale PS90</u>
<u>Fabrique Nationale SCAR</u>
<u>FAMAS .223 semiautomatic</u>
<u>Galil</u>
<u>Heckler &amp; Koch G3 in all forms</u>

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<u>Heckler &amp; Koch HK-41/91</u>
<u>Heckler &amp; Koch HK-43/93</u>
<u>Heckler &amp; Koch HK94A2/3</u>
<u>Heckler &amp; Koch MP-5 in all forms</u>
<u>Heckler &amp; Koch PSG-1</u>
<u>Heckler &amp; Koch SL8</u>
<u>Heckler &amp; Koch UMP</u>
<u>Manchester Arms Commando MK-45</u>
<u>Manchester Arms MK-9</u>
<u>SAR-4800</u>
<u>SIG AMT SG510 in all forms</u>
<u>SIG SG550 in all forms</u>
<u>SKS</u>
<u>Spectre M4</u>
<u>Springfield Armory BM-59</u>
<u>Springfield Armory G3</u>
<u>Springfield Armory SAR-8</u>
<u>Springfield Armory SAR-48</u>
<u>Springfield Armory SAR-3</u>
<u>Springfield Armory M-21 sniper</u>
<u>Springfield Armory M1A</u>
<u>Smith &amp; Wesson M&amp;P 15</u>
<u>Sterling Mk 1</u>
<u>Sterling Mk 6/7</u>
<u>Steyr AUG</u>
<u>TNW M230</u>
<u>FAMAS F11</u>
<u>Uzi 9mm carbine/rifle</u>

29 (ii) A semiautomatic rifle that has an overall length of less  
30 than 30 inches;

31 (iii) A conversion kit, part, or combination of parts, from which  
32 an assault weapon can be assembled or from which a firearm can be

1 converted into an assault weapon if those parts are in the possession  
2 or under the control of the same person; or

3 (iv) A semiautomatic, center fire rifle that has the capacity to  
4 accept a detachable magazine and has one or more of the following:

5 (A) A grip that is independent or detached from the stock that  
6 protrudes conspicuously beneath the action of the weapon. The  
7 addition of a fin attaching the grip to the stock does not exempt the  
8 grip if it otherwise resembles the grip found on a pistol;

9 (B) Thumbhole stock;

10 (C) Folding or telescoping stock;

11 (D) Forward pistol, vertical, angled, or other grip designed for  
12 use by the nonfiring hand to improve control;

13 (E) Flash suppressor, flash guard, flash eliminator, flash hider,  
14 sound suppressor, silencer, or any item designed to reduce the visual  
15 or audio signature of the firearm;

16 (F) Muzzle brake, recoil compensator, or any item designed to be  
17 affixed to the barrel to reduce recoil or muzzle rise;

18 (G) Threaded barrel designed to attach a flash suppressor, sound  
19 suppressor, muzzle break, or similar item;

20 (H) Grenade launcher or flare launcher; or

21 (I) A shroud that encircles either all or part of the barrel  
22 designed to shield the bearer's hand from heat, except a solid  
23 forearm of a stock that covers only the bottom of the barrel;

24 (v) A semiautomatic, center fire rifle that has a fixed magazine  
25 with the capacity to accept more than 10 rounds;

26 (vi) A semiautomatic pistol that has the capacity to accept a  
27 detachable magazine and has one or more of the following:

28 (A) A threaded barrel, capable of accepting a flash suppressor,  
29 forward handgrip, or silencer;

30 (B) A second hand grip;

31 (C) A shroud that encircles either all or part of the barrel  
32 designed to shield the bearer's hand from heat, except a solid  
33 forearm of a stock that covers only the bottom of the barrel; or

34 (D) The capacity to accept a detachable magazine at some location  
35 outside of the pistol grip;

36 (vii) A semiautomatic shotgun that has any of the following:

37 (A) A folding or telescoping stock;

38 (B) A grip that is independent or detached from the stock that  
39 protrudes conspicuously beneath the action of the weapon. The

1 addition of a fin attaching the grip to the stock does not exempt the  
2 grip if it otherwise resembles the grip found on a pistol;

3 (C) A thumbhole stock;

4 (D) A forward pistol, vertical, angled, or other grip designed  
5 for use by the nonfiring hand to improve control;

6 (E) A fixed magazine in excess of seven rounds; or

7 (F) A revolving cylinder shotgun.

8 (b) For the purposes of this subsection, "fixed magazine" means  
9 an ammunition feeding device contained in, or permanently attached  
10 to, a firearm in such a manner that the device cannot be removed  
11 without disassembly of the firearm action.

12 (c) "Assault weapon" does not include antique firearms, any  
13 firearm that has been made permanently inoperable, or any firearm  
14 that is manually operated by bolt, pump, lever, or slide action.

15 (3) "Assemble" means to fit together component parts.

16 ~~((3))~~ (4) "Barrel length" means the distance from the bolt face  
17 of a closed action down the length of the axis of the bore to the  
18 crown of the muzzle, or in the case of a barrel with attachments to  
19 the end of any legal device permanently attached to the end of the  
20 muzzle.

21 ~~((4))~~ (5) "Bump-fire stock" means a butt stock designed to be  
22 attached to a semiautomatic firearm with the effect of increasing the  
23 rate of fire achievable with the semiautomatic firearm to that of a  
24 fully automatic firearm by using the energy from the recoil of the  
25 firearm to generate reciprocating action that facilitates repeated  
26 activation of the trigger.

27 ~~((5))~~ (6) "Crime of violence" means:

28 (a) Any of the following felonies, as now existing or hereafter  
29 amended: Any felony defined under any law as a class A felony or an  
30 attempt to commit a class A felony, criminal solicitation of or  
31 criminal conspiracy to commit a class A felony, manslaughter in the  
32 first degree, manslaughter in the second degree, indecent liberties  
33 if committed by forcible compulsion, kidnapping in the second degree,  
34 arson in the second degree, assault in the second degree, assault of  
35 a child in the second degree, extortion in the first degree, burglary  
36 in the second degree, residential burglary, and robbery in the second  
37 degree;

38 (b) Any conviction for a felony offense in effect at any time  
39 prior to June 6, 1996, which is comparable to a felony classified as  
40 a crime of violence in (a) of this subsection; and

1 (c) Any federal or out-of-state conviction for an offense  
2 comparable to a felony classified as a crime of violence under (a) or  
3 (b) of this subsection.

4 ~~((+6))~~ (7) "Curio or relic" has the same meaning as provided in  
5 27 C.F.R. Sec. 478.11.

6 ~~((+7))~~ (8) "Dealer" means a person engaged in the business of  
7 selling firearms at wholesale or retail who has, or is required to  
8 have, a federal firearms license under 18 U.S.C. Sec. 923(a). A  
9 person who does not have, and is not required to have, a federal  
10 firearms license under 18 U.S.C. Sec. 923(a), is not a dealer if that  
11 person makes only occasional sales, exchanges, or purchases of  
12 firearms for the enhancement of a personal collection or for a hobby,  
13 or sells all or part of his or her personal collection of firearms.

14 ~~((+8))~~ (9) "Detachable magazine" means an ammunition feeding  
15 device that can be loaded or unloaded while detached from a firearm  
16 and readily inserted into a firearm.

17 (10) "Distribute" means to give out, provide, make available, or  
18 deliver a firearm or large capacity magazine to any person in this  
19 state, with or without consideration, whether the distributor is in-  
20 state or out-of-state. "Distribute" includes, but is not limited to,  
21 filling orders placed in this state, online or otherwise.  
22 "Distribute" also includes causing a firearm or large capacity  
23 magazine to be delivered in this state.

24 ~~((+9))~~ (11) "Family or household member" has the same meaning as  
25 in RCW 7.105.010.

26 ~~((+10))~~ (12) "Federal firearms dealer" means a licensed dealer  
27 as defined in 18 U.S.C. Sec. 921(a)(11).

28 ~~((+11))~~ (13) "Federal firearms importer" means a licensed  
29 importer as defined in 18 U.S.C. Sec. 921(a)(9).

30 ~~((+12))~~ (14) "Federal firearms manufacturer" means a licensed  
31 manufacturer as defined in 18 U.S.C. Sec. 921(a)(10).

32 ~~((+13))~~ (15) "Felony" means any felony offense under the laws of  
33 this state or any federal or out-of-state offense comparable to a  
34 felony offense under the laws of this state.

35 ~~((+14))~~ (16) "Felony firearm offender" means a person who has  
36 previously been convicted or found not guilty by reason of insanity  
37 in this state of any felony firearm offense. A person is not a felony  
38 firearm offender under this chapter if any and all qualifying  
39 offenses have been the subject of an expungement, pardon, annulment,  
40 certificate, or rehabilitation, or other equivalent procedure based

1 on a finding of the rehabilitation of the person convicted or a  
2 pardon, annulment, or other equivalent procedure based on a finding  
3 of innocence.

4 ~~((15))~~ (17) "Felony firearm offense" means:

5 (a) Any felony offense that is a violation of this chapter;

6 (b) A violation of RCW 9A.36.045;

7 (c) A violation of RCW 9A.56.300;

8 (d) A violation of RCW 9A.56.310;

9 (e) Any felony offense if the offender was armed with a firearm  
10 in the commission of the offense.

11 ~~((16))~~ (18) "Firearm" means a weapon or device from which a  
12 projectile or projectiles may be fired by an explosive such as  
13 gunpowder. "Firearm" does not include a flare gun or other  
14 pyrotechnic visual distress signaling device, or a powder-actuated  
15 tool or other device designed solely to be used for construction  
16 purposes.

17 ~~((17))~~ (19)(a) "Frame or receiver" means a part of a firearm  
18 that, when the complete firearm is assembled, is visible from the  
19 exterior and provides housing or a structure designed to hold or  
20 integrate one or more fire control components, even if pins or other  
21 attachments are required to connect the fire control components. Any  
22 such part identified with a serial number shall be presumed, absent  
23 an official determination by the bureau of alcohol, tobacco,  
24 firearms, and explosives or other reliable evidence to the contrary,  
25 to be a frame or receiver.

26 (b) For purposes of this subsection, "fire control component"  
27 means a component necessary for the firearm to initiate, complete, or  
28 continue the firing sequence, including any of the following: Hammer,  
29 bolt, bolt carrier, breechblock, cylinder, trigger mechanism, firing  
30 pin, striker, or slide rails.

31 ~~((18))~~ (20) "Gun" has the same meaning as firearm.

32 ~~((19))~~ (21) "Import" means to move, transport, or receive an  
33 item from a place outside the territorial limits of the state of  
34 Washington to a place inside the territorial limits of the state of  
35 Washington. "Import" does not mean situations where an individual  
36 possesses a large capacity magazine when departing from, and  
37 returning to, Washington state, so long as the individual is  
38 returning to Washington in possession of the same large capacity  
39 magazine the individual transported out of state.

1       (~~(20)~~) (21) "Intimate partner" has the same meaning as provided  
2 in RCW 7.105.010.

3       (~~(21)~~) (22) "Large capacity magazine" means an ammunition  
4 feeding device with the capacity to accept more than 10 rounds of  
5 ammunition, or any conversion kit, part, or combination of parts,  
6 from which such a device can be assembled if those parts are in  
7 possession of or under the control of the same person, but shall not  
8 be construed to include any of the following:

9       (a) An ammunition feeding device that has been permanently  
10 altered so that it cannot accommodate more than 10 rounds of  
11 ammunition;

12       (b) A 22 caliber tube ammunition feeding device; or

13       (c) A tubular magazine that is contained in a lever-action  
14 firearm.

15       (~~(22)~~) (24) "Law enforcement officer" includes a general  
16 authority Washington peace officer as defined in RCW 10.93.020, or a  
17 specially commissioned Washington peace officer as defined in RCW  
18 10.93.020. "Law enforcement officer" also includes a limited  
19 authority Washington peace officer as defined in RCW 10.93.020 if  
20 such officer is duly authorized by his or her employer to carry a  
21 concealed pistol.

22       (~~(23)~~) (25) "Lawful permanent resident" has the same meaning  
23 afforded a person "lawfully admitted for permanent residence" in 8  
24 U.S.C. Sec. 1101(a)(20).

25       (~~(24)~~) (26) "Licensed collector" means a person who is  
26 federally licensed under 18 U.S.C. Sec. 923(b).

27       (~~(25)~~) (27) "Licensed dealer" means a person who is federally  
28 licensed under 18 U.S.C. Sec. 923(a).

29       (~~(26)~~) (28) "Loaded" means:

30       (a) There is a cartridge in the chamber of the firearm;

31       (b) Cartridges are in a clip that is locked in place in the  
32 firearm;

33       (c) There is a cartridge in the cylinder of the firearm, if the  
34 firearm is a revolver;

35       (d) There is a cartridge in the tube or magazine that is inserted  
36 in the action; or

37       (e) There is a ball in the barrel and the firearm is capped or  
38 primed if the firearm is a muzzle loader.

39       (~~(27)~~) (29) "Machine gun" means any firearm known as a machine  
40 gun, mechanical rifle, submachine gun, or any other mechanism or

1 instrument not requiring that the trigger be pressed for each shot  
2 and having a reservoir clip, disc, drum, belt, or other separable  
3 mechanical device for storing, carrying, or supplying ammunition  
4 which can be loaded into the firearm, mechanism, or instrument, and  
5 fired therefrom at the rate of five or more shots per second.

6 ~~((28))~~ (30) "Manufacture" means, with respect to a firearm or  
7 large capacity magazine, the fabrication, making, formation,  
8 production, or construction of a firearm or large capacity magazine,  
9 by manual labor or by machinery.

10 ~~((29))~~ (31) "Nonimmigrant alien" means a person defined as such  
11 in 8 U.S.C. Sec. 1101(a) (15).

12 ~~((30))~~ (32) "Person" means any individual, corporation,  
13 company, association, firm, partnership, club, organization, society,  
14 joint stock company, or other legal entity.

15 ~~((31))~~ (33) "Pistol" means any firearm with a barrel less than  
16 inches in length, or is designed to be held and fired by the use  
17 of a single hand.

18 ~~((32))~~ (34) "Rifle" means a weapon designed or redesigned, made  
19 or remade, and intended to be fired from the shoulder and designed or  
20 redesigned, made or remade, and intended to use the energy of the  
21 explosive in a fixed metallic cartridge to fire only a single  
22 projectile through a rifled bore for each single pull of the trigger.

23 ~~((33))~~ (35) "Sale" and "sell" mean the actual approval of the  
24 delivery of a firearm in consideration of payment or promise of  
25 payment.

26 ~~((34))~~ (36) "Secure gun storage" means:

27 (a) A locked box, gun safe, or other secure locked storage space  
28 that is designed to prevent unauthorized use or discharge of a  
29 firearm; and

30 (b) The act of keeping an unloaded firearm stored by such means.

31 ~~((35))~~ (37) "Semiautomatic" means any firearm which utilizes a  
32 portion of the energy of a firing cartridge to extract the fired  
33 cartridge case and chamber the next round, and which requires a  
34 separate pull of the trigger to fire each cartridge.

35 (38) (a) "Semiautomatic assault rifle" means any rifle which  
36 utilizes a portion of the energy of a firing cartridge to extract the  
37 fired cartridge case and chamber the next round, and which requires a  
38 separate pull of the trigger to fire each cartridge.

39 (b) "Semiautomatic assault rifle" does not include antique  
40 firearms, any firearm that has been made permanently inoperable, or

1 any firearm that is manually operated by bolt, pump, lever, or slide  
2 action.

3 ~~((36))~~ (39) "Serious offense" means any of the following  
4 felonies or a felony attempt to commit any of the following felonies,  
5 as now existing or hereafter amended:

6 (a) Any crime of violence;

7 (b) Any felony violation of the uniform controlled substances  
8 act, chapter 69.50 RCW, that is classified as a class B felony or  
9 that has a maximum term of imprisonment of at least 10 years;

10 (c) Child molestation in the second degree;

11 (d) Incest when committed against a child under age 14;

12 (e) Indecent liberties;

13 (f) Leading organized crime;

14 (g) Promoting prostitution in the first degree;

15 (h) Rape in the third degree;

16 (i) Drive-by shooting;

17 (j) Sexual exploitation;

18 (k) Vehicular assault, when caused by the operation or driving of  
19 a vehicle by a person while under the influence of intoxicating  
20 liquor or any drug or by the operation or driving of a vehicle in a  
21 reckless manner;

22 (l) Vehicular homicide, when proximately caused by the driving of  
23 any vehicle by any person while under the influence of intoxicating  
24 liquor or any drug as defined by RCW 46.61.502, or by the operation  
25 of any vehicle in a reckless manner;

26 (m) Any other class B felony offense with a finding of sexual  
27 motivation, as "sexual motivation" is defined under RCW 9.94A.030;

28 (n) Any other felony with a deadly weapon verdict under RCW  
29 9.94A.825;

30 (o) Any felony offense in effect at any time prior to June 6,  
31 1996, that is comparable to a serious offense, or any federal or out-  
32 of-state conviction for an offense that under the laws of this state  
33 would be a felony classified as a serious offense; or

34 (p) Any felony conviction under RCW 9.41.115.

35 ~~((37))~~ (40) "Short-barreled rifle" means a rifle having one or  
36 more barrels less than 16 inches in length and any weapon made from a  
37 rifle by any means of modification if such modified weapon has an  
38 overall length of less than 26 inches.

39 ~~((38))~~ (41) "Short-barreled shotgun" means a shotgun having one  
40 or more barrels less than 18 inches in length and any weapon made

1 from a shotgun by any means of modification if such modified weapon  
2 has an overall length of less than 26 inches.

3 ~~((39))~~ (42) "Shotgun" means a weapon with one or more barrels,  
4 designed or redesigned, made or remade, and intended to be fired from  
5 the shoulder and designed or redesigned, made or remade, and intended  
6 to use the energy of the explosive in a fixed shotgun shell to fire  
7 through a smooth bore either a number of ball shot or a single  
8 projectile for each single pull of the trigger.

9 ~~((40))~~ (43) "Transfer" means the intended delivery of a firearm  
10 to another person without consideration of payment or promise of  
11 payment including, but not limited to, gifts and loans. "Transfer"  
12 does not include the delivery of a firearm owned or leased by an  
13 entity licensed or qualified to do business in the state of  
14 Washington to, or return of such a firearm by, any of that entity's  
15 employees or agents, defined to include volunteers participating in  
16 an honor guard, for lawful purposes in the ordinary course of  
17 business.

18 ~~((41))~~ (44) "Undetectable firearm" means any firearm that is  
19 not as detectable as 3.7 ounces of 17-4 PH stainless steel by walk-  
20 through metal detectors or magnetometers commonly used at airports or  
21 any firearm where the barrel, the slide or cylinder, or the frame or  
22 receiver of the firearm would not generate an image that accurately  
23 depicts the shape of the part when examined by the types of X-ray  
24 machines commonly used at airports.

25 ~~((42))~~ (45)(a) "Unfinished frame or receiver" means a frame or  
26 receiver that is partially complete, disassembled, or inoperable,  
27 that: (i) Has reached a stage in manufacture where it may readily be  
28 completed, assembled, converted, or restored to a functional state;  
29 or (ii) is marketed or sold to the public to become or be used as the  
30 frame or receiver of a functional firearm once finished or completed,  
31 including without limitation products marketed or sold to the public  
32 as an 80 percent frame or receiver or unfinished frame or receiver.

33 (b) For purposes of this subsection:

34 (i) "Readily" means a process that is fairly or reasonably  
35 efficient, quick, and easy, but not necessarily the most efficient,  
36 speedy, or easy process. Factors relevant in making this  
37 determination, with no single one controlling, include the following:  
38 (A) Time, i.e., how long it takes to finish the process; (B) ease,  
39 i.e., how difficult it is to do so; (C) expertise, i.e., what  
40 knowledge and skills are required; (D) equipment, i.e., what tools

1 are required; (E) availability, i.e., whether additional parts are  
2 required, and how easily they can be obtained; (F) expense, i.e., how  
3 much it costs; (G) scope, i.e., the extent to which the subject of  
4 the process must be changed to finish it; and (H) feasibility, i.e.,  
5 whether the process would damage or destroy the subject of the  
6 process, or cause it to malfunction.

7 (ii) "Partially complete," as it modifies frame or receiver,  
8 means a forging, casting, printing, extrusion, machined body, or  
9 similar article that has reached a stage in manufacture where it is  
10 clearly identifiable as an unfinished component part of a firearm.

11 (~~(43)~~) (46) "Unlicensed person" means any person who is not a  
12 licensed dealer under this chapter.

13 (~~(44)~~) (47) "Untraceable firearm" means any firearm  
14 manufactured after July 1, 2019, that is not an antique firearm and  
15 that cannot be traced by law enforcement by means of a serial number  
16 affixed to the firearm by a federal firearms manufacturer, federal  
17 firearms importer, or federal firearms dealer in compliance with all  
18 federal laws and regulations.

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 9.41 RCW  
20 to read as follows:

21 (1) No person in this state may manufacture, import, distribute,  
22 sell, or offer for sale any assault weapon, except as authorized in  
23 this section.

24 (2) Subsection (1) of this section does not apply to any of the  
25 following:

26 (a) The manufacture, importation, distribution, offer for sale,  
27 or sale of an assault weapon by a licensed firearms manufacturer for  
28 the purposes of sale to any branch of the armed forces of the United  
29 States or the state of Washington, or to a state or federal law  
30 enforcement agency for use by that agency or its employees for law  
31 enforcement purposes;

32 (b) The importation, distribution, offer for sale, or sale of an  
33 assault weapon by a dealer that is properly licensed under federal  
34 and state law for the purpose of sale to any branch of the armed  
35 forces of the United States or the state of Washington, or to a law  
36 enforcement agency in this state for use by that agency or its  
37 employees for law enforcement purposes;

38 (c) The distribution, offer for sale, or sale of an assault  
39 weapon to or by a dealer that is properly licensed under federal and

1 state law where the dealer acquires the assault weapon from an  
2 individual legally authorized to possess or transfer the assault  
3 weapon for the purpose of selling or transferring the assault weapon  
4 to a person who does not reside in this state. The purpose of this  
5 section is to allow individuals who no longer wish to own an assault  
6 weapon to sell their assault weapon and is not intended to allow  
7 Washington dealers to purchase assault weapons wholesale for the  
8 purpose of selling a stock or inventory of assault weapons online or  
9 in person to nonresidents; or

10 (d) The receipt of an assault weapon by a person who, on or after  
11 the effective date of this section, acquires possession of the  
12 assault weapon by operation of law upon the death of the former owner  
13 who was in legal possession of the assault weapon, provided the  
14 person in possession of the assault weapon can establish such  
15 provenance. Receipt under this subsection (2)(d) is not  
16 "distribution" under this chapter. A person who legally receives an  
17 assault weapon under this subsection (2)(d) may not sell or transfer  
18 the assault weapon to any other person in this state other than to a  
19 licensed dealer, to a federally licensed gunsmith for the purpose of  
20 service or repair, or to a law enforcement agency for the purpose of  
21 permanently relinquishing the assault weapon.

22 (3) A person who violates this section is guilty of a gross  
23 misdemeanor.

24 NEW SECTION. **Sec. 4.** A new section is added to chapter 9.41 RCW  
25 to read as follows:

26 (1) The legislature finds that manufacturing, importing,  
27 distributing, selling, or offering for sale any assault weapon in  
28 violation of section 3 of this act are matters vitally affecting the  
29 public interest for the purpose of applying the consumer protection  
30 act, chapter 19.86 RCW; are not reasonable in relation to the  
31 development and preservation of business; and constitutes an unfair  
32 or deceptive act in trade or commerce and an unfair method of  
33 competition for the purpose of applying the consumer protection act,  
34 chapter 19.86 RCW.

35 (2) A violation of section 3 of this act is an unfair or  
36 deceptive act or practice or unfair method of competition in the  
37 conduct of trade or commerce for purposes of the consumer protection  
38 act, chapter 19.86 RCW.

1        NEW SECTION.    **Sec. 5.**    If any provision of this act or its  
2 application to any person or circumstance is held invalid, the  
3 remainder of the act or the application of the provision to other  
4 persons or circumstances is not affected.

5        NEW SECTION.    **Sec. 6.**    This act is necessary for the immediate  
6 preservation of the public peace, health, or safety, or support of  
7 the state government and its existing public institutions, and takes  
8 effect immediately.

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